IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 22ND NOVEMBER 2007 / 1ST AGRAHAYANA 1929

WP(C).No. 26759 of 2004(I)

PETITIONER:

SIVAKUMARI, D/O. RAJAKUMARA KAMMATH
UZHUTHURUTHU MADOM, VAIKOM P.O.

BY ADV. SRI.LIJI.J.VADAKEDOM

RESPONDENTS:

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1. THE TAHSILDAR, VAIKOM TALUK,
OFFICE OF THE TAHSILDAR, VAIKOM.

2. SANKARA WARRIER, VAIKATHU
PERUMTHRIKKOVIL WARRIATHU HOUSE,
VAIKOM, NOW RESIDING AT 'ANJALI' 1985/TC.5,
P.N.R.A.-D, SREEKRISHNA LANE KOWDIAR,
THIRUVANANTHAPURAM 695 003.

3. K.P.SASIDHARAN PILLAI,
PADINJATTUMCHERI THERI THEKKUM MURI,
VAIKOM P.O., PIN -686 141.

4. K.THANKAMMA, PADINJATTUMCHERI
THEKKUM MURI, VAIKOM P.O.

R1 BY GOVERNMENT PLEADER SMT. LATHA
R2 BY ADV SRI.P.SHRIHARI
SMT.P.VANI
R3 & 4 BY ADV SRI.P.K.MURALEEDHARAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P(C) 26759/04

PETITIONER'S EXTS:

EXT.P1: TRUE COPY OF THE ORDER DT. 31.8.95

EXT.P2: -DO- OF THE TAX RECEIPT UNDER WHICH THE PETITIONER PAID THE TAX TO THE PROPERTY

EXT.P3: -DO- OF THE CLAIM PETITION DT. 30.3.2001 IN O.S. 204/82 BEFORE THE SUB COURT

EXT.P4: -DO- OF THE COUNTER AFFIDAVIT FILED BY THE 2ND RESPONDENT AGAINST THE EXT.P3 CLAIM PETITION

EXT.P5: -DO- OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT DT. 30.6.2004

EXT.P6: -DO- OF THE NOTICE DT. 19.7.2004 ISSUED BY THE 5TH RESPONDENT TO THE PETITIONER

EXT.P7: -DO- OF THE REPRESENTATION DT. NIL (FILED ON 21.7.2004) BEFORE THE 5TH RESPONDENT

jj /TRUE COPY/

P.S. TO JUDGE

KURIAN JOSEPH, J.

W.P(C) No.26759 of 2004

Dated this the 22nd day of November, 2007

JUDGMENT

The writ petition is filed mainly with the following prayer:-

> i. Issue a writ of mandamus or any other writ order or direction to direct the 1st respondent to consider and dispose of Exts.P5 and P7 representations pending before the 1st respondent within a stipulated time with notice to the petitioner.

The issue pertains to the mutation. There will be a direction to the first respondent to consider Exts.P5 and P7 with notice to the petitioner and respondents 2 to 4 and any other affected party and pass appropriate orders thereon in accordance with law within a period of four months from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

(KURIAN JOSEPH, JUDGE)

ahg.

KURIAN JOSEPH, J.

W.P(C).No.26759 of 2004

JUDGMENT

22nd November, 2007